IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 5388/2004

PARASRAMPURIA SYNTHETICS LIMITED LABOUR UNION BHIWADI
Vs.
STATE OF RAJASTHAN & ORS.

Date: 14.09.2007

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. Suresh Kashyap for the petitioner.
Mr. B.S. Chhaba, Dy. GA for the State

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In this writ petition, the petitioner has challenged the order impugned dated 08.07.2004 passed by the Additional Registrar of Trade Unions and Regional Joint Labour Commissioner, Jaipur Region, whereby they shown their inability that on account of interim order passed by the Civil Court, the respondent cannot register the union.

The order dated 05.10.95 passed by the Additional Civil Judge (Jr. Division) & Judicial Magistrate No.2, Jaipur City is not under challenge in this writ petition, whereby the Civil Court in Civil Suit No. 752/1995 filed under Order 7 Rule 1 CPC passed the order and directed the Additional Registrar of Trade Unions and Regional Joint Labour Commissioner, Jaipur Region not to register trade union.

The petitioner was well aware of this fact that his application was not considered on account of interim order passed by the Civil Court on 05.10.95. The petitioner could have approach the Civil Court and also challenge the said order dated 05.10.95, but he has not opted to challenge the same and has only filed the present writ petition against the order dated 08.07.2004 on the ground that Civil Court has got no right to restrain the authorities not to register the trade union. Thus, I find no merit in the writ petition.

Consequently, the writ petition, being devoid of merit, stands dismissed as observed herein above.

The stay application also stands rejected.

(K.S. RATHORE),J.

/KKC/